

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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SANOFI-AVENTIS U.S. LLC., *et al.*,

Plaintiffs,

v.

SANDOZ, INC,

Defendant.

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Lead Civil Action No. 07-2762 (JAP)  
(consolidated case)

**ORDER**

Presently before the Court is a motion by Fresenius Kabi Oncology plc and Dabur Pharma Limited (together “Dabur”) for summary judgment of non-infringement of claims 1 and 2 of United States Patent No. 5,338,874. Plaintiffs Sanofi-Aventis U.S. LLC, Sanofi-Aventis, Debiopharm, S.A. (together “Sanofi”) oppose the motion and have cross-moved for summary judgment of infringement. For the reasons set forth in the accompanying Opinion,

IT IS on this 12<sup>th</sup> day of March 2010,

ORDERED that Dabur’s motion for summary judgment is DENIED, and it is further

ORDERED that Sanofi’s motion for summary judgment is GRANTED.

/s/ Joel A. Pisano  
JOEL A. PISANO, U.S.D.J